

**STANDING ORDER FOR
MAGISTRATE JUDGE DONNA M. RYU**
(Revised August 6, 2014)

Parties shall comply with the procedures in the Federal Rules of Civil or Criminal Procedure, the Northern District of California's Local Rules and General Orders, and this standing order, all of which are available at <http://www.cand.uscourts.gov>. Failure to comply may result in monetary sanctions, dismissal, entry of judgment, or other appropriate sanctions.

CALENDAR DATES AND SCHEDULING

1. Criminal motions are heard on the second and fourth Thursdays of the month at 11:00 a.m., or during the regular criminal calendar when Judge Ryu is on criminal calendar duty. Civil motions are heard on the second and fourth Thursdays of the month at 11:00 a.m. Civil case management conferences are heard on Wednesdays at 1:30 p.m. Civil pretrial conferences are heard on Wednesdays at 3:00 p.m.

2. Parties should notice motions (other than discovery motions) pursuant to the local rules. Parties need not reserve a hearing date, but should confirm the court's availability at <http://www.cand.uscourts.gov>. The court may reset hearing dates as the court's calendar requires. Parties seeking to enlarge a filing deadline by filing a motion for administrative relief pursuant to Civil Local Rule 7-11 should file the motion in advance of the filing deadline, rather than on the day a filing is due. Parties are advised that requests which, in effect, do not allow the court two weeks from the filing of the last brief until the scheduled hearing date are routinely denied.

3. For scheduling questions, please call Judge Ryu's courtroom deputy, Ivy Garcia, at (510) 637-3639.

CONSENT CASES

4. In civil cases that are randomly assigned to Judge Ryu for all purposes, each party should file a written consent to the assignment of a United States Magistrate Judge for all purposes, or written declination of consent, as soon as possible. If a party files a dispositive motion (such as a motion to dismiss or a motion for remand), the moving party must file the consent or declination simultaneously with the motion. In no event shall the consent or declination be filed later than the deadlines specified in Civil L.R. 73-1(a)(1) and (2).

1 **CHAMBERS COPIES AND PROPOSED ORDERS**

2 5. Pursuant to Civil L.R. 5-1(e)(7) and 5-2(b), parties must lodge an extra paper copy of certain
3 filings and mark it as a copy for “Chambers.” All chambers copies should be three-hole punched,
4 and must include tabs between exhibits.

5 6. Any stipulation or proposed order submitted by an e-filing party shall be submitted by email
6 to dmrpo@cand.uscourts.gov as a word processing attachment on the same day the document is e-
7 filed. This address should only be used for this stated purpose unless otherwise directed by the
8 court.

9 **CIVIL CASE MANAGEMENT**

10 7. No later than seven days before the initial case management or status conference, the parties
11 shall file a Joint Case Management Statement in full compliance with the Court’s Standing Order for
12 All Judges of the Northern District of California governing “Contents of Joint Case Management
13 Statement,” available on the Court’s website.

14 8. Parties may not continue a case management or pretrial conference without court approval.
15 Each party shall be represented **in person** at the Case Management Conference by lead trial counsel
16 (or a party if *in pro se*), who shall be (1) prepared to address all of the matters referred to in the
17 Northern District of California’s standing order on Joint Case Management Statements; and (2) have
18 full authority to enter stipulations and make admissions pursuant to that order. Permission for a
19 party to attend by telephone may be granted, in the court’s discretion, upon written request made in
20 advance of the hearing if the court determines that good cause exists to excuse personal attendance,
21 and that personal attendance is not needed in order to have an effective conference. The facts
22 establishing good cause must be set forth in the request.

23 9. All hearings and case management conferences are audio recorded. They are not reported by
24 a court reporter. Parties may request a copy of the audio recording or transcription by following the
25 procedures set forth at <http://cand.uscourts.gov/transcripts>.

26 **CIVIL DISCOVERY**

27 10. In order to respond to discovery disputes in a flexible, cost-effective and efficient manner,
28 the court uses the following procedure. The parties shall not file formal discovery motions. Instead,

1 as required by the federal and local rules, the parties shall first meet and confer to try to resolve their
2 disagreements. The meet and confer session must be **in person or by telephone**, and may not be
3 conducted by letter, e-mail, or fax. If disagreements remain, the parties shall file a joint letter **no**
4 **later than five business days** after the meet and confer session, unless otherwise directed by the
5 court. **Lead trial counsel for both parties must sign the letter**, which shall include an attestation
6 that the parties met and conferred in person or by telephone regarding all issues prior to filing the
7 letter. **The letter must also include a paragraph listing relevant case management deadlines,**
8 including (1) the fact and expert discovery cut-off dates; (2) the last day to hear or file dispositive
9 motions; (3) claim construction or class certification briefing deadlines and hearing dates; and (4)
10 pretrial conference and trial dates. Going issue-by-issue, the joint letter shall describe each
11 unresolved issue, summarize each party's position with appropriate legal authority, and provide each
12 party's final proposed compromise before moving to the next issue. The joint letter shall not exceed
13 **eight** pages (12-point font or greater; margins no less than one inch) without leave of court. **Parties**
14 **are expected to plan for and cooperate in preparing the joint letter so that each side has**
15 **adequate time to address the arguments.** In the rare instance that a joint letter is not possible,
16 each side may submit a letter not to exceed **three** pages, which shall include an explanation of why a
17 joint letter was not possible. The parties shall submit one exhibit that sets forth each disputed
18 discovery request in full, followed immediately by the objections and/or responses thereto. No other
19 information shall be included in the exhibit. No other exhibits shall be submitted without prior court
20 approval. The court will review the submission(s) and determine whether formal briefing or
21 proceedings are necessary. **Discovery letter briefs must be e-filed under the Civil Events**
22 **category of Motions and Related Filings > Motions - General > "Discovery Letter Brief".**

23 11. The court has found that it is often efficient and beneficial for counsel to appear in person at
24 discovery hearings. This provides the opportunity to engage counsel, where appropriate, in
25 resolving aspects of the discovery dispute while remaining available to rule on disputes that counsel
26 are not able to resolve themselves. **For this reason, the court expects counsel to appear in**
27 **person.** Permission to attend by telephone may be granted upon written request made at least one
28 week in advance of the hearing if the court determines that good cause exists to excuse personal

1 attendance, and that personal attendance is not needed in order to have an effective discovery
2 hearing. The facts establishing good cause must be set forth in the request.

3 12. If a party withholds responsive information by claiming that it is privileged or otherwise
4 protected from discovery, that party shall **promptly** provide a privilege log that is sufficiently
5 detailed for the opposing party to assess whether the assertion of privilege is justified. Unless the
6 parties agree to alternative logging methods, the log should include: (a) the title and description of
7 the document, including number of pages or Bates-number range; (b) the subject matter addressed in
8 the document; (c) the identity and position of its author(s); (d) the identity and position of all
9 addressees and recipients; (e) the date the document was prepared and, if different, the date(s) on
10 which it was sent to or shared with persons other than its author(s); and (f) the specific basis for the
11 claim that the document is privileged or protected.

12 Communications involving trial counsel that post-date the filing of the complaint need not be
13 placed on a privilege log. Failure to promptly furnish a privilege log may be deemed a waiver of the
14 privilege or protection.


15 **SUMMARY JUDGMENT**

16 13. In most summary judgment motions, the parties should be able to agree on certain
17 undisputed facts. The court encourages the parties to file a joint statement of undisputed facts
18 whenever feasible.

19 **SELF REPRESENTED (PRO SE) PARTIES**

20 14. Parties representing themselves should visit the Quick Link titled “If You Don’t Have a
21 Lawyer” on the Court’s homepage, <http://www.cand.uscourts.gov>. The link discusses the Court’s
22 “Legal Help Center” for unrepresented parties, and provides addresses and contact information for
23 the three branches, which are located in the San Francisco, Oakland and San Jose courthouses.

24
25 IT IS SO ORDERED.

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28 DONNA M. RYU
United States Magistrate Judge